

January 8, 2015

The meeting of the Middlesex Board of Health was held on the above date in the Municipal Building and called to order at 7:00 p.m. by the Board Secretary with the following statement:

"This meeting is being held in compliance with the Open Public Meeting Law in that all the requirements of the Law have been met by the Sunshine Law Meeting Notice forwarded to the Courier News, Home News, and Star Ledger and posted in the Municipal Building on December 8, 2014.

Roll Call

Barbara Benson	Absent
Amy Bigge	
Amy Burke	
Charles Corcoran	
Melissa Fedosh	
Thomas Harrity	
Ceil Slauson	

Others in Attendance: Kevin Dotey, Liaison
Terry Brundage, SREHS

Board Secretary opened the nomination for President of the Middlesex Board of Health for 2015. Board Member Slauson made a motion to nominate Tom Harrity for President, seconded by Board Member Corcoran and carried by the following roll call vote. Ayes: Bigge, Burke, Corcoran, Fedosh, Slauson. Nos: None. Abstain: Harrity

Board President Harrity opened the nomination for Vice President of the Middlesex Board of Health for 2015. Board Member Slauson made a motion to nominate Amy Burke, seconded by Board Member Corcoran and carried by the following roll call vote. Ayes: Bigge, Burke, Corcoran, Fedosh, Harrity, Slauson. Nos: None. Abstain: None

President Harrity opened the nomination for the Finance Chair of the Middlesex Board of Health for 2015. Board President Harrity made a motion to nominate Board Member Fedosh, seconded by Board Member Corcoran and carried by the following roll call vote. Ayes: Bigge, Burke, Corcoran, Harrity, Slauson. Nos: None. Abstain: Fedosh.

Minutes

Board Member Slauson made a motion to accept the December 4, 2014 meeting minutes, seconded by Board Member Bigge and carried by a unanimous vote of members present.

Executive Session: None

Reports

- A. Activities Report – REHS, Terry Brundage presented the Activities Report for December 2014. REHS Terry Brundage stated that the Food Handlers Training course is on March 25, 2015 from 1:30pm - 4pm. Mr. Brundage also reported that there was a case of rabies of a raccoon in Dunellen.
 - B. Registrar's Report - Board Secretary read the Registrar's Report for December, 2014.
 - C. Middlesex County Environment Health Division (Air, Water, Noise & Solid Waste Complaints) – None
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Finance Report

- | | | | |
|----|--|----|--------|
| A. | Board of Health License Fees Collected: December, 2014 | \$ | 487.50 |
| B. | Bill List – Resolution to Acknowledge All Claims: | \$ | 0.00 |
| C. | Registrar Fees Collected: December, 2014 | \$ | 192.00 |

Board Member Fedosh made a motion to accept the Financial Report seconded by Board Member Slauson and carried by the following roll call vote. Ayes: Bigge, Burke, Corcoran, Fedosh, Harrity, Slauson. No: None. Abstain: None.

Correspondence – None

Unfinished Business

- A. By-Laws of the Middlesex Board of Health – President Harrity stated that at the last meeting in December the members would be ready to review the by-laws presented by the committee. There are still questions in the by-laws and under Article II Section 1 #4 of the By-Laws the Borough Attorney made the following correction to the by-laws.

4. Passing Ordinances (delete)

4. Prepare ordinances for adoption by the governing body. (add)

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President Harrity stated that we may want to put a #6 in this section to state what we can adopt and what we can't and if we can't adopt an ordinance that we can make a recommendation to the council for further review and adoption.

John Madden, 103 Rock Lane former President of the Board of Health stated that in the past the Board adopted many ordinances specific to health matters. The code book and NJSA 26 empowers local boards of health to adopt ordinances. Councilman Madden offered to get NJSA 26 to the board members so it can be addressed with the Borough Attorney.

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President Harrity will contact the Borough Attorney for further clarification regarding what the Board has the power to do in terms of ordinances as we have the fracking committee reviewing an ordinance for the board to review and possibly adopt.

- B. School Communication Regarding Reports of Illnesses - REHS, Terry Brundage stated that under NJAC Health Service Law Title 8, Chapters 57 and 58 "School districts report to the health officer of jurisdiction any communicable diseases." Mr. Brundage stated the County will only notify towns if there is an outbreak.

Board Member Fedosh will look into if we can get this info as a member of the Board of Health from the school. It was noted that if the school has the information that they pass it on to us so we can help provide resources to the schools regarding these illnesses.

- C. Food Licensing Renewal for Non-Profits - Board Member Slauson reported that the Committee is recommending that there continue to be no charges for food licensing renewals for the non-profit organizations. Board Member Slauson stated that the committee reached out to other towns and only one town charges the non-profits.

Board President Harrity asked for a motion of the Board to take the recommendation of the committee and not charge the non-profit

organizations for food licenses renewals. Board member Slauson made a motion seconded by Board member Fedosh and carried by the following roll call vote: Ayes: Bigge, Burke, Fedosh, Harrity, Slauson. No: Corcoran. Abstain: None.

- D. Public Health Interlocal Service Contract for 2015/2016 – President Harrity stated that at the Regular Meeting of the Council on December 23, 2014, the Borough Council approved the Public Health Interlocal Service Contract for 2015-2016 with Middlesex County.

Board member Fedosh stated that as an autonomous board we should be approving the contract noting the town allocates the money to provide the service. Board member Fedosh requested that the contract be sent back and signed by the Board President.

Members also discussed the continuing discussion of the Board's liability. The Board asked that the Borough Attorney review page 4 paragraph 14 which states,

"The County and Municipality shall save, protect, indemnify and hold harmless each other and their respective elected officials, officers and employees from any and all damages or claims for damages to persons or property, which may result or arise from the actions, failure to act, negligence, and/or willful misconduct of their employees, agents or contractors under this Agreement, to the extent permitted and pursuant to the provisions of the New Jersey Tort claims Act, NJSA 59:1-1 et.seq. and the New Jersey Contractual Liability Act, NJSA 50:13-1 et. seq.

President Harrity will contact the Borough Attorney regarding the Board's right to execute the contract with the County for health services, adopting ordinances, and board member's liability.

- E. 2015 Budget – Board members reviewed the budget for 2015. Members of the board expressed their concern as some of the line items last year were reduced to zero and the board was not notified. President Harrity met with the council at last year's budget meeting and these line items were reduced after that meeting. Council liaison Kevin Dotey will review with the finance committee.

New Business

President Harrity asked if any members of the Board had anything to add to the meeting. Board member Corcoran asked that the Board at the next meeting consider limiting the number of cat colonies to 1 and that the colonies only contains 15 cats.

President Harrity asked that the members review the ordinance adopted by the council regarding cat colonies for the next meeting.

Website

A. The Calendar of Events was posted for the month of January.

Public Portion

President Harrity opened the meeting to the public for anybody wishing to speak.

John Madden, 103 Rock Lane stated that he had two items to bring to the board tonight (1) Flu near pandemic. The flu shot (3 strain) is only 50% effective and the efficiency of the 4 strain is marginal, and (2) the management of the cat colonies are working well near Rock Lane but on the flip side there is no monitoring and tracking deer and fox population.

Seeing that there were no other public comments, President Harrity closed the public portion of the meeting.

Board member Fedosh moved for adjournment seconded by Board member Burke and carried by a unanimous vote of members present.

Kathleen Anello
Board Secretary